



PATENT APPLICATION
Docket No: 7536.106

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

John S. Ramey et al.

Serial No.: 10/009,932

Filed: May 24, 2002

For: METHOD AND SYSTEM FOR PERFORMING
MICROABRASION AND MASSAGE

Examiner: Danton D. DeMille

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OCT 28 2004

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

TECHNOLOGY CENTER R3700

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Dynatronics Corporation ("Owner"), a Utah corporation, by and through Berne S. Broadbent, its attorney of record, states that it is the assignee of the entire right, title, and interest in and to the patent application identified above by virtue of an assignment from the inventor. The assignment was recorded in the United States Patent and Trademark Office at Reel 13246, Frame 298.

Pursuant to 37 C.F.R. § 1.321(c), Owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§

154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,582,442. Owner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

DATED this 22nd day of October 2004.

Respectfully submitted,



Berne S. Broadbent
Attorney for Applicants
Registration No. 30,550

KIRTON & McCONKIE
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 321-4802
Facsimile: (801) 321-4893

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